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RESPONSE UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1745

PATENT
0965-0232P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Toshio NISHI et al. Conf.: 9403
Appl. No.: 09/118,833 Group: 1745
Filed: July 20, 1998 Examiner: J. Crepeau
For: SOLID ELECTROLYTE TYPE FUEL BATTERY

NOTICE OF APPEAL FROM THE
PRIMARY EXAMINER TO THE BOARD OF APPEALS

Assistant Commissioner for Patents
Washington, DC 20231

January 16, 2003

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated July 16, 2002 of the Primary Examiner finally rejecting claims 4-28.

☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

The applicant(s) hereby petition(s) for an extension of three (3) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

The fee has been calculated as shown below:

☐ NO extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of \$0.00 is required for the full period of the above-requested extension of time.

☒ An extension of one (1) month(s) for responding to the Final Rejection was previously requested and paid for on November 18, 2002. Thus a fee of \$820.00 is required to obtain an additional two (2) month(s) for filing the Notice of Appeal.

01/17/2003 HGE BREH1 00000014 09118833

01 FC:1401 320.00 OP
01/17/2003 HGE BREH1 00000014 09118833

02 FC:1253 820.00 OP

☐ Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

☒ Large entity - \$320.00

☐ Small Entity - \$160.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$1,140.00.

Payment of the above TOTAL FEE is being made in the following manner:

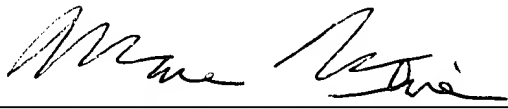
☒ Check(s) in the amount of \$1,140.00 is/are enclosed.

☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.


If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

Marc S. Weiner, #32,181


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